



#9 Annexations of Rights of Way *(Pinal County)*

Proposal:

Amends annexation processes to permit simple transfers of ownership of roadway and rights of way by mutual consent, avoiding technical requirement and property owners' consent and petition process.

Background:

Current statute allows for the annexation of a right of way or roadway by a city or town by mutual consent of the governing bodies of both the county and city or town if property is adjacent to the city or town. However, the use of the word "annexation" requires that certain size restrictions apply and requires the width of the property to be at least 200 ft. and a 2:1 length to width ratio.

The proposed statutory change gives counties along with cities and towns the ability to mutually agree on a transfer of a right of way or road that does not meet the size requirements of an annexation. If a city or town desires a certain right of way be transferred from the county but the right of way's width is less than 200 ft., as many are, then the 200 ft. requirement will usually push the area onto private property and require a petition of the property owners. This proposal will allow a transfer, agreed to by both the county and city or town, to take place regardless of the size.

While the counties currently have this ability to transfer property of the right statutory size, this proposal may bring criticism for a lack of property owner input.

Fiscal Impact:

There is no anticipated fiscal impact to either the state or a county's budget.